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**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

JUN 23 2003

Federal Communications Commission  
Office of Secretary

In the Matter of )  
 )  
Amendment of Section 73.202(b) )  
FM Table of Allotments ) MM Docket No. 03-105  
FM Broadcast Stations ) RM - 10671  
(Glens Falls, Indian Lake, Malta )  
and Queensbury, New York) )  
  
To: Media Bureau

**COMMENTS OF VOX NEW YORK, LLC  
AND ENTERTRONICS, INC.**

I. Vox New York, LLC ("Vox New York"), licensee of WNYQ(FM), Queensbury, New York and Entertronics, Inc. ("Entertronics"), licensee of WCQL-FM, Glens Falls, New York (collectively, the "Joint Petitioners"), by their counsel, hereby submit these Comments filed pursuant to Section 1.420(i) of the Commission's Rules in connection with the Notice of Proposed Rule Making in this proceeding.<sup>1</sup> The Joint Petitioners hereby reiterate their interest in implementing the proposed allotments outlined in their Petition for Rule Making ("Petition").<sup>2</sup> The Petition proposes the deletion of channel 289B1 at Queensbury, New York, and the allocation of channel 289A to Malta, New York, with a modification of the license for WNYQ(FM) to reflect the new community of license and the channel downgrade. Concurrently, this Petition proposes the deletion of channel 240A at Glens Falls, New York, the reallocation of that channel to Queensbury, and the modification of WCQL-FM's authorization to reflect the

<sup>1</sup> See *In the Matter of Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Glens Falls, Indian Lake, Malta and Queensbury, New York)*, MM Docket No. 03-105 (RM-10671) (rel. April 30, 2003).

<sup>2</sup> See *Petition for Rule Making of Vox New York, LLC and Entertronics, Inc.* (filed October 23, 2002).

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new community of license. Finally, this Petition proposes the allocation of channel 290A to Indian Lake, New York, as that community's first local service. As the Petition notes, the proposed substitutions would provide first local service to two communities – Indian Lake and Malta -- while Queensbury would retain a broadcast transmission service through the reallocation of WCQL-FM. Glens Falls also would continue to receive local service from other licensed commercial radio stations.

2. The Joint Petitioners reaffirm that their proposal will serve the public interest. Each proposed allotment is mutually exclusive with the existing allotments and will provide the requisite 70 dBu coverage to the communities involved. The proposal will result in a preferential arrangement of allotments consistent with the FM Allotment Priorities by providing Malta and Indian Lake with their first local aural transmission services without depriving Queensbury or Glens Falls of their first local aural transmission service.<sup>3</sup> The proposal would provide a net increase of new 60 dBu service and would eliminate the short spacing associated with WCQL-FM's current allotment.

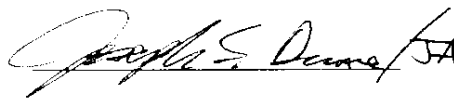
3. For the foregoing reasons, the Joint Petitioners respectfully request approval of the proposed amended allotments outlined in the Petition. Should the Commission implement the Joint Petitioners' proposed changes to the FM Table of Allotments, the Joint Petitioners will timely file the necessary applications for construction permit for the new channel allotments and will construct the new facilities in a timely manner. Vox New York will file the necessary applications for construction permit for the Malta and Indian Lake allotments, and Entertronics will file the necessary applications for construction permit for the Queensbury allotment.

**WHEREFORE, FOR THE FOREGOING REASONS,** Vox New York and Entertronics respectfully request that the Commission issue an Order in the instant proceeding granting the proposal outlined in the Joint Petitioners' October 23, 2002 Petition for Rule Making and modify Section 73.202(b) of the Commission's Rules accordingly.



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June 23, 2003

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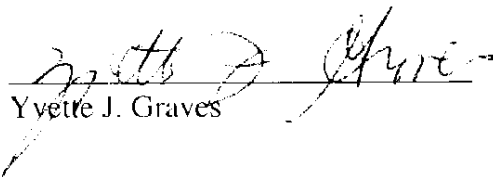
<sup>3</sup> See *Revision of FM Assignment Policies and Procedures ("FM Allotment Priorities")*, 90 FCC 2d 88 (1982).

**Certificate of Service**

I, Yvette Graves, a secretary in the law firm of Manatt, Phelps and Phillips, LLP, do hereby certify that on this 23rd day of June 2003, I caused copies of the foregoing "Comments of Vox New York, LLC and Entertronics, Inc." to be hand delivered, addressed to the following persons:

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